

041204  
04772 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17548 U.S. PTO  
10/822546

041204

In Re Application of:

Examiner in immediately  
preceding parent application:  
Charles Alan Marmor II

Mark J. Whalen et al.

Serial No.: N/A

Anticipated Group  
Art Unit: 3736

Filed: N/A

FOR: DIAGNOSTIC URETHRAL ASSEMBLY & METHOD

Docket No.: 25064/104/102

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuing application, under 37 CFR §1.53(b), of pending prior Application Serial No. 09/943,975 filed on August 31, 2001 for an invention entitled DIAGNOSTIC URETHRAL ASSEMBLY & METHOD; which claims priority to provisional application Serial Nos. 60/229,143 having a filing date of August 31, 2000 and 60/264,700 having a filing date of January 30, 2001.

1. Enclosed is a copy of the prior application, including the inventors' DECLARATION of October 11, 2001 and October 15, 2001, as originally filed on November 14, 2001.
2. I hereby verify that the enclosed papers are a true copy of prior Application Serial No. 09/943,975 as filed on August 31, 2001, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
3. Amend the specification by substituting for the first paragraph, immediately before "TECHNICAL FIELD" on page 1 thereof, with the paragraph: --This is a continuation of copending Application Serial No. 09/943,975 filed on August 31, 2001, which is a regular application filed under 35 U.S.C. §111(a) claiming priority under 35 U.S.C. §119(e)(1), of provisional application Serial Nos. 60/229,143 having a filing date of August 31, 2000, filed under 35 U.S.C. §111(b) and 60/264,700 having a filing date of January 30, 2001, filed under 35 U.S.C. §111(b). --
4. An assignment is of record in the prior application to AbbeyMoor Medical, Inc. recorded on January 16, 2002, at Reel 012477, Frame(s) 0980.

The PTO did not receive the following  
listed item(s) FIG. 5, 5A, 6, AND 7  
OF DRAWINGS

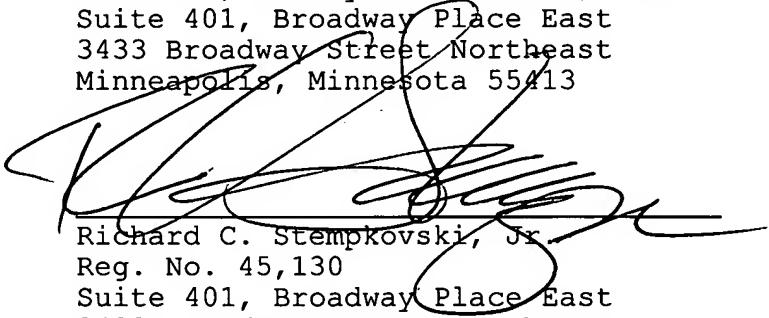
5. The filing fee is calculated below:

CLAIMS AS FILED						
FOR:	(1) No. Filed	(2) No. Extra	SMALL ENTITY		OTHER	
			RATE	FEE	RATE	FEE
BASIC FEE	XXXXXX	XXXXXX	XXXXXX	\$385	XXXXXX	\$770
TOTAL CLAIMS	33-20=	13	X 9=	\$117	X 18=	\$
INDEPENDENT CLAIMS	6-3=	3	X 43=	\$129	X 86=	\$
( ) MULTIPLE DEPENDENT CLAIM PRESENTED			+145=	\$	+290=	\$
TOTAL				\$631.00	XXXXXX	

6. The power of attorney in the prior application is to Wayne A. Sivertson, Reg. No. 25,645; Lawrence M. Nawrocki, Reg. No. 29,333; John L. Rooney, Reg. No. 28,898; Richard C. Stempkovski, Jr., Reg. No. 45,130; Jeffery L. Cameron, Reg. No. 43,527; and Donald A. Jacobson, Reg. No. 22,308. The power appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:

Richard C. Stempkovski, Jr.  
Nawrocki, Rooney & Sivertson, P.A.  
Suite 401, Broadway Place East  
3433 Broadway Street Northeast  
Minneapolis, Minnesota 55413

4/12/04  
(Date)

  
Richard C. Stempkovski, Jr.  
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Suite 401, Broadway Place East  
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**CERTIFICATE UNDER 37 C.F.R. 1.10:**

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of : EV 332 555 716 US, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12<sup>th</sup> day of April, 20 04.

By Laurie E. Gentrup  
Laurie E. Gentrup